

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO,
et al.,

(Jointly Administered)

Debtors.¹

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STANDING ORDER REGARDING SEPARATION
OF MEDIATION AND LITIGATION ACTIVITIES

In light of the serious concerns expressed by the Mediation Team in its November 20, 2017 Notice (Docket Entry No. 1836 in 17 BK 3283) and in order to protect the integrity and separation of the litigation and mediation processes in these cases and their related adversary proceedings and civil litigation matters, the undersigned, by this Order, establish the following rules for submissions and argumentation in connection with litigated matters.

No Debtor, Debtor representative, party to litigation or any party in interest shall discuss, in written or oral submissions, and the Court will neither invite nor entertain, information regarding events or actions in the mediation process, including but not limited to information disclosing the circumstances under which information is being provided in connection with the mediation process (as opposed to identification and location of information a party contends has already been disclosed) and positions taken by any participant in that confidential process. Violations of the foregoing prohibition will be subject to such sanctions as the Court finds warranted under the circumstances, which may include but are not limited to the

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

striking of pleadings, denial of opportunity to present oral argument, denial of relief sought and/or preclusion of opposition to requests for relief.

Any party in interest that believes that there is a valid urgent reason to raise a mediation-related matter with the Court shall do so in the first instance by filing an application to make a motion under seal, in accordance with the procedures set forth in Local Bankruptcy Rule 9018-1.

SO ORDERED.

Dated: November 20, 2017

/s/ Laura Taylor Swain

Laura Taylor Swain

United States District Judge

/s/ Judith Gail Dein

Judith Gail Dein

United States Magistrate Judge